IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 832 of 2004

DURGA SHANKER
V/S
ADDL.DISTRICT JUDGE NO.2 BHILWARA & ANR.

Mr. KC SAMADARIA, for the appellant / petitioner

Mr. ARUN BHANSALI, for the respondent

Date of Order : 13.10.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

Both the courts below have decided the application for temporary injunction, and have dismissed the same. The order was passed by trial court way back on 29.11.1999 , and appeal was dismissed by learned Lower Appellate Court on 11.7.03; whereas the suit is of the year 1994. There in no interim stay order by this court so far. In these circumstances, instead of going into the merits of the impugned orders, I think it appropriate to direct the learned trial court to decide the suit itself on merits most expeditiously. The writ petition stands disposed of accordingly.

(N P GUPTA),J.

/Srawat/